



3712

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 11 2001

In re patent application of

Douglas D. DeMasi, Sr.

SN 09/313,566

Filed 5/14/99

For "Universal Flying Hawk"

09/845/999

: Art Unit 3712

: Examiner Miller, B

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

8 Scenic Drive; Hagan Farms

Poughkeepsie, NY 12603-5521

September 25, 2001

Commissioner of Patents and Trademarks
Washington, DC 20231

LETTER of NON-ABANDONMENT

Sir:

In response to the Office Communication mailed 9/21/01 enclosing a Notice of Abandonment, please be advised that the above referenced application is the subject of a continuation-in-part application SN 09/845/999 having a USPTO receipt date of 4/30/01 and submitted concurrently with a Preliminary Amendment dated 4/30/01 and of which copy pages 1, 6, and 10 are enclosed along with a copy of the Utility Patent Application Transmittal sheet therefor.

A Notice of Incomplete Patent (continuation-in-part) Application was sent applicant on 6/25/01, to which a Letter urging the contrary was sent in reply 6/28/01. Another Notice of Incomplete Patent Application was mailed 7/20/01, and applicant filed 7/30/01 a pending Petition in response to it and the previous Notice. Second and Third Preliminary Amendments were mailed 9/19/01 and 9/20/01 in response to a telephone conference with the Petitions Office.

Respectfully submitted,

Joseph B. Taphorn

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Enclosures

Certificate of Mailing The undersigned certifies that this correspondence addressed to the Commissioner for Patents, U.S. Patent and Trademark Office, Washington, DC 20231, has been deposited with the U.S. Postal Service as first class mail with sufficient postage this September 25, 2001 by the undersigned.

Joseph B. Taphorn
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Approved for use through 10/3/2004 PTO/US 05 (03-01)

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

First Inventor

Title

Express Mail Label No.

De Masi, Douglas D.

Universal Flying Hawk

ET 251695 700 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- ☒ Applicant claims small entity status.
See 37 CFR 1.27.
- ☐ Specification [Total Pages]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets]
- ☐ Oath or Declaration [Total Pages]
 - ☒ Newly executed (original or copy)
Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - ☐ Computer Readable Form (CRF)
 - Specification Sequence Listing on:
 - ☐ CD-ROM or CD-R (2 copies); or
 - ☐ paper
 - ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
- ☐ English Translation Document (if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☒ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
- ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

Prior application information:

Examiner: Miller, B.

of prior application No. 09,313,566

Group Art Unit: 3712

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

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Date

4/30/01
4-20-2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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